

NEW JERSEY
CEMETERY BOARD

May 8, 2003

FILED L.H.G.

"CERTIFIED TRUE COPY"

State of New Jersey
Department of Law and Public Safety
Division of Consumer Affairs
Cemetery Board

IN THE MATTER OF

Administrative Action

FOUNTAIN LAWN
MEMORIAL PARK

**FINAL ORDER OF
DISCIPLINE**

Certificate of Authority
Number 076

This matter was opened to the New Jersey Cemetery Board following review of information in the Board's files which resulted in the issuance of a Provisional Order of Discipline regarding the Fountain Lawn Memorial Park's failure to file reports and to provide proof of payments into the Maintenance and Preservation Fund. Fountain Lawn Memorial Park responded to the Provisional Order through counsel, Gus T. Siggelakis, Esq. The Board has reviewed the cemetery's submission and now makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. Respondent, Fountain Lawn Memorial Park, has held Certificate of Authority Number 076 issued by the Cemetery Board on August 11, 1972 pursuant to N.J.S.A. 8A:3-9. Respondent has been

a New Jersey Cemetery Company at all times relevant to this matter and is not a municipality.

2. Pursuant to N.J.S.A. 8A: 4-5, cemetery companies must make certain deposits into the Cemetery's Maintenance and Preservation Fund based on income generated by sales of lots or graves, and deposits based on resales of lots or graves, number of interments, and size of foundations installed.

3. Pursuant to N.J.S.A. 8A:4-12, each cemetery company that is not a municipality must file an annual report with the Board showing the extent and augmentation of the Maintenance and Preservation Fund for its fiscal year not later than 120 days after the close of its fiscal year.

4. A review of the Board's files demonstrates that as of the date of the Provisional Order of Discipline, the last annual Maintenance and Preservation Fund report was filed on April 16, 1994 for fiscal year 1993.

5. Fountain Lawn Memorial Park has now filed its Maintenance and Preservation reports for fiscal years 1994 through 2001.

CONCLUSIONS OF LAW

The failure to file an annual reports with the New Jersey Cemetery Board and/or the failure to deposit statutorily required sums into the Maintenance and Preservation Fund provide grounds for discipline pursuant to N.J.S.A. 45:1-21 (h). Respondent has now

filed the required reports and has paid the \$500.00 assessed civil penalty.

ACCORDINGLY, IT IS ON THIS 8TH DAY OF MAY, 2003

ORDERED that:

1. Fountain Lawn Memorial Park shall cease and desist from failing to file its annual Maintenance and Preservation Fund report within 120 days of the close of its fiscal year and from failing to make all statutorily required deposits into the Maintenance and Preservation Fund.

2. Fountain Lawn Memorial Park is assessed a civil penalty of \$500.00, which penalty has been paid.

NEW JERSEY STATE CEMETERY BOARD

By: 
Frank J. DeGeeter, Chair

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OFFICIAL CHECK

HOLD THE DOCUMENT AT A SMALL ANGLE TO SEE THIS SECURITY FEATURE.



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FOUNTAIN LAKE MEMORIAL PARK

Date

JUL 07 2000

PAY

TO THE ORDER OF

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*****500.00

*****500*DOLLARS*AND*00*CENTS*

Drawer: Fleet Bank, N.A.

STATE OF NEW JERSEY**

Issued By Integrated Payment Systems Inc., Englewood, Colorado
KeyBank National Association, Denver, Colorado.

SIGNATURE

Robert Sheln

CIVIL PENALTY

FOUNTAIN LAKE
MEMORIAL

PARK

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THE VARIABLE TONE BACKGROUND AREA OF THIS DOCUMENT CHANGES COLOR GRADUALLY AND SMOOTHLY FROM DARKER TONES AT BOTH TOP AND BOTTOM TO THE LIGHTEST TONE IN THE MIDDLE.